

REMARKS

Claims 1-9, and 11-25 are pending in the application..

Claims 1-3, 5, 13-14, 16, 20-22, and 25 have been amended. Claims 10-12 have been canceled without prejudice.

Claim Rejections under 35 U.S.C. § 102

Claims 1-7, 16, 20-23, and 25 were rejected under 35 U.S.C. § 102(e) as being anticipated by Markowitz et al., U.S. Patent No. 6,311,185 B1 (hereinafter “Markowitz”). As explained previously, Markowitz discloses a method for modifying an information page transmitted on a network, such as the Internet. A request to display an information page is received from a client computer. Information page data is obtained for the requested information page. Additional data, such as an advertisement, is selected and the information page data is modified to include the additional data based on attributes of the requested information page. The modified information page data is then sent to the client computer for display. (See Abstract).

According to an embodiment of the present invention, content data (such as a theme) for a given information unit (such as a web page) is determined and an information unit (such as an ad) is chosen as a function of the content data (theme). These processes are done dynamically, based on one or more algorithms. Claims 1-3, 16, 20-22, and 25 have been rewritten to further bring out this feature of the present invention. In these claims the content data of the given information unit is determined by searching the given information unit, indexing the given information unit to produce indexed data, and performing a relevancy ranking on the indexed data. The ranked index data may then be compared to the information unit. (See, for example, page 7, lines 3-14; page 7, line 15 to page 8, line 16; page 8, line 17 to page 9, line 6; and page 10, lines 9-19).

Applicant respectfully submits that Markowitz fails to teach or suggest a method for

associating a chosen information unit with a given information unit comprising: automatically determining a content data of the given information unit; and automatically selecting the chosen information unit as a function of the ranked index data of the given information unit (As amended).

Examiner states, in regards to claim 1 that Markowitz discloses ‘automatically determining a content data of the given information unit’ in column 1, lines 32-42 by its reference “...displaying advertisement on their Web pages... a Web page containing travel tips... could include... a hotel advertisement.” Applicant respectfully submits that Markowitz provides for no more than establishing a simple, *static* link directly to another Web page (e.g., a hotel advertisement) when a specific search is requested. Applicants submit that although Markowitz refers to utilizing a ‘history database’ that can be consulted by the server when selecting an advertisement (see col. 3, line 2), there is no disclosure as to what sorts of information is stored in the database. The text states that “if a user had previously requested a large number of Web pages related to sports” The user would need to maintain a list of sports-related websites (e.g., espn.com, cnnsi.com, etc.). There is no disclosure as to how a “sports-related” website is determined.

According to embodiments of the present invention, documents are classified utilizing rules of evidence by an array of parameters, including such things as information stored in the user’s cookies, the user’s computer settings, the date, etc. Further, embodiments of the present invention utilizes ‘fuzzy’ concept-based searching. (See, for example, page 7, lines 3-14).

Applicant submits that the present invention does not involve simply *statically* linking a Web page (such as a travel ad) to a search term, as does Markowitz. The present invention involves utilizing *dynamic* processes for selecting and categorizing. These processes are *based on algorithms*, such as methods of indexing and relevancy ranking terms and information. (See, for example, page 7, line 15 to page 8, line 9). As a further example of the dynamic nature of the processes, applicant submits that decision-making based on various

parameters by specific algorithms, such as comparisons of determined relevancy rankings, are utilized to determine if documents' rankings fall above a certain percentage to reduce the number of performed comparisons. (See, for example, page 8, line 4-6).

Applicant respectfully submits by similar reasoning as above that claims 2, 3, 16, 20-22, and 25 are allowable, and therefore, that claims 4-7, and 23 are allowable as depending from allowable base claims.

Based on the amendments and arguments above, reconsideration and withdrawal of the rejection of claims 1-7, 16, 20-23, and 25 under 35 U.S.C. §102(e) is respectfully requested.

Claim Rejections under 35 U.S.C. § 103

Claims 8-9 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Markowitz. Claims 10-15, and 17-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Markowitz in further view of Yu (U.S. Patent No. 6,067,552).

Claims 8-9 are allowable for at least the reason of being dependent on claim 3 per the amendments and arguments above. As to claims 13-15 and 17-19, the Yu reference fails to make up for the deficiencies of Markowitz. There is nothing in the Markowitz or Yu reference that teaches or suggests the automatic production and ranking of indexed data for given information unit and comparison of that the ranked index data can be compared to chosen information unit. In view of the above, reconsideration and withdrawal of the rejection of claims 8-9, 13-15, 17-19 and 24 under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,
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